

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 2013-266

AN ORDINANCE TO AMEND THE CLAYTON COUNTY ZONING ORDINANCE, SPECIFICALLY ARTICLE 3 “ZONING DISTRICT INTENT, USES & STANDARDS” SO AS TO DELETE SECTION 3.27 “RMX DISTRICT INTENT, PERMITTED USES AND CONDITIONAL USES”, AND INSERT IN LIEU THEREOF A NEW SECTION 3.27; TO PROVIDE AN EFFECTIVE DATE OF THIS ORDINANCE; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; AND FOR OTHER PURPOSES.

WHEREAS, the Board of Commissioners has determined there is a need to revise Article 3 “Zoning District Intent, Uses & Standards”, Section 3.27 “RMX District Intent, Permitted Uses and Conditional Uses”.

NOW THEREFORE, BE IT ORDAINED BY THE CLAYTON COUNTY

BOARD OF COMMISSIONERS AND IT IS HEREBY ORDAINED

PART I

Section 1. The Clayton County Zoning Ordinance, as amended, is hereby further amended by deleting Article 3 “Zoning District Intent, Uses & Standards”, Section 3.27 to read as follows:

[SEE FOLLOWING PAGE]

Article Three – Zoning District Intent, Uses & Standards

RMX Regional Mixed Use District

3.27 RMX District Intent, Permitted Uses and Conditional Uses

District Intent	Permitted Uses	Permitted Uses, Continued
<p>The "RMX" District is intended to provide a mixture of residential, commercial, and office uses within close proximity to each other. The goal is to provide interconnected urban scale development in nodal and corridor areas that offer pedestrian connectivity and eliminate additional commuter trips for regionally oriented goods and services.</p> <p>The "RMX" district is designed to:</p> <ol style="list-style-type: none"> 1. Develop large scale lots/ parcels with a mix of commercial and residential uses with design amenities that accommodate mixed-use buildings with neighborhood serving retail, service, and other uses on the ground floor and residential units above the non-residential space; 2. Encourage development that exhibits the physical design characteristics of pedestrian orientated, store-front style shopping streets; and 3. Promote the health and well being of residents by encouraging physical activity, alternative transportation, and greater social interaction. <p>The district promotes a maximum density 16 dwelling units per acre.</p>	Residential Uses <ul style="list-style-type: none"> • Single-family dwelling (upper floors) • Two-family dwellings (upper floors) • Multiple-family dwellings (upper floors) 	Business Uses, continued <ul style="list-style-type: none"> • Grocery Store • Hardware Store • Hotels and motels • Indoor recreation, including bowling alleys, pool rooms, electronic gaming machines, and etc. • Jewelry store • Minor automobile service stations, including gasoline sales • Night club, dance club, tavern and similar private clubs • Parking garage, deck, and lot • Pet shops having no outside kennels • Pharmacy • Professional offices • Restaurants, including those having a drive through configuration • Retail warehouses/ wholesales providing sales of merchandise with no outdoor storage • Stationary, office supply, and equipment stores • Theaters, assembly halls, concert hall, or similar places of assembly when conducted completely within enclosed building
	Office/ Institutional Uses <ul style="list-style-type: none"> • Banks and loan associations • Dental offices and medical offices • Professional and business offices 	Conditional Uses Communication/Utilities <ul style="list-style-type: none"> • Public wellfield/ pump house • Utility substation • Water tower • Wireless telecommunications facility
	Public Uses <ul style="list-style-type: none"> • Commercial parking garages and lots • Commuter transit, such as bus and train • Libraries • Parks and amphitheaters • Public/ Government buildings and offices • Police, Fire, Rescue Business Uses <ul style="list-style-type: none"> • Antique shops, provided that there is no outdoor display or storage • Apparel stores • Artisans galleries and theaters • Bank and loan associations • Barber shop and beauty salon • Bookstores • Catering establishments • Child and adult day care center • Clothing and apparel store • Coin laundry, dry cleaning, and pick up stations, dealing directly with the customer • Convenience stores • Dancing schools and other group instruction • Department stores • Discount Stores • Drug stores • Fitness centers and gyms • Florist and gift shops • Furniture sales and showrooms 	

Use Notes and Subdivision Specifications

- The Use Matrix at the end of this Article provides detailed use listings.
- The Overlay Districts shall apply as specified in Article 4 of this Ordinance.
- Any district may be rezoned to "PUD" (Planned Unit Development) as specified in Article 7 of this Ordinance.
- The subdivision of land in this district shall be consistent with the specifications of the Clayton County Subdivision Ordinance.

PART II

(a) It is hereby declared to be the intention of the Board of Commissioners that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their enactment, believed by the Board of Commissioners to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Board of Commissioners that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase therein. It is hereby further declared to be the intention of the Board of Commissioners, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Board of Commissioners that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

PART III.

All Ordinances or parts of Ordinances in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

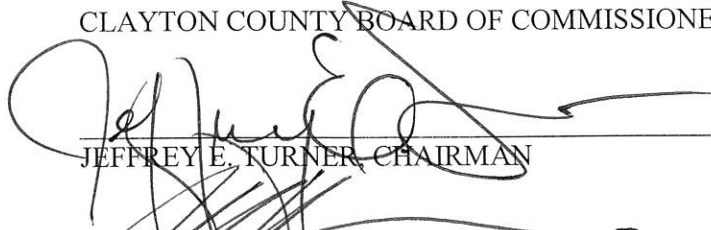
PART IV.

The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.


SO ORDAINED this 15th day of October 2013.

{SIGNATURES ON FOLLOWING PAGE}

CLAYTON COUNTY BOARD OF COMMISSIONERS



JEFFREY E. TURNER, CHAIRMAN



MICHAEL EDMONDSON, VICE CHAIRMAN



GAIL B. HAMBRICK, COMMISSIONER

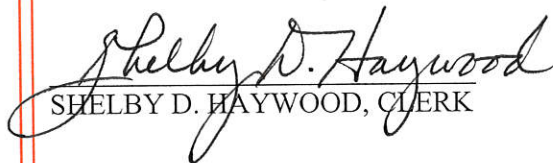


SONNA SINGLETON, COMMISSIONER



SHANA M. ROOKS, COMMISSIONER

ATTEST:



SHELBY D. HAYWOOD, CLERK